

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID LAPINE,

Plaintiff,

-against-

BRIAN NICHOLS and WILLIAM JACKSON,
sued in their individual capacities,
DENNIS MILLER, sued in his individual
capacity,

Defendants.
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08 civ. 0429 (KMK)

**DEMAND FOR
PRODUCTION**

PLEASE TAKE NOTICE, that Defendants BRIAN NICHOLS, WILLIAM JACKSON and DENNIS MILLER, hereby demand that plaintiff produce fair and accurate duplicates of the following:

1. Copies of all documents, electronically stored information, photographs or tangible things in the possession, custody or control of plaintiff or plaintiff's attorneys which plaintiff may use to support his claims herein including, but not limited to:

a. Photographs of other premises within the Town of East Fishkill built after 1985 with accessory apartments;

b. Copies of all plans submitted by plaintiff to any Town Official for approval prior to conversion of plaintiff's garage, or any portion thereof, to habitable space.

c. Copies of all pleadings, documents, discovery, deposition transcripts, photographs or any other materials obtained, served or exchanged in

any other suit in which the Town of East Fishkill was a party which plaintiff may use to support plaintiff's claims herein or which plaintiff intends to utilize in the questioning of any witness herein either at deposition or trial.

d. Copies of any statements or media reports, written or otherwise, which plaintiff claims contained untruthful information derived from any of the defendants or their subordinates.

e. Photographs or copies of any political signs or documents which plaintiff claims burdened plaintiff's right to political advocacy.

f. Copies of all leases or rental agreements from plaintiff's accessory building since its construction.

g. Copies of all rent receipts, accounting records, logs, checks or other financial recordings of any kind reflecting rents received by plaintiff from tenants of plaintiff's accessory building since its construction.

h. HIPAA compliant authorizations for the release of all records of treatment to the plaintiff for any injuries, physical or otherwise, suffered as a result of the occurrences set forth in plaintiff's Complaint.

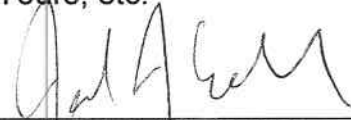
i. A detailed computation of any category of damages claimed by the plaintiff, together with fair and accurate copies of all documents or other evidentiary material upon which such computations are based, including materials bearing on the nature and extent of injuries suffered.

j. Name, address, area of expertise and basis for expertise of any expert witness retained by the plaintiffs herein together with a written report prepared and signed by said witness containing a complete statement of all

opinions to be expressed by said witness and the basis and reasons therefore. This demand includes the data or other information considered by the witness in forming said opinions, any exhibits to be used as a summary of or in support of said opinions, qualifications of the witness, including a list of all publications authored by the witness within the preceding ten years, the compensation to be paid for the study and testimony by said witness, and a listing of any other cases in which the witness has testified as an expert at trial or by deposition within the past four years.

Dated: White Plains, NY
June 4, 2008

Yours, etc.



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